

House Amendment 8429

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1 1 Amend Senate File 2346, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, by inserting after line 33 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 321.178A DRIVER
1 6 EDUCATION == TEACHING PARENT.
1 7 1. TEACHING PARENT. As an alternative to the
1 8 driver education requirements under section 321.178, a
1 9 teaching parent may instruct a student in a driver
1 10 education course that meets the requirements of this
1 11 section and provide evidence that the requirements
1 12 under this section have been met.
1 13 2. DEFINITIONS. For purposes of this section:
1 14 a. "Approved course" means driver education
1 15 curriculum approved by the department pursuant to
1 16 rules adopted under chapter 17A. An approved course
1 17 shall, at a minimum, meet the requirements of
1 18 subsection 3 and be appropriate for teaching=parent=
1 19 directed driver education and related street or
1 20 highway instruction. Driver education materials that
1 21 meet or exceed standards established by the department
1 22 for an approved course in driver education for a
1 23 public or private school shall be approved unless
1 24 otherwise determined by the department. The list of
1 25 approved courses shall be posted on the department's
1 26 website.
1 27 b. "Student" means a person who is at least
1 28 fourteen but not yet eighteen years of age who is
1 29 within the custody and control of the teaching parent
1 30 and who satisfies preliminary licensing requirements
1 31 of the department.
1 32 c. "Teaching parent" means a parent, guardian, or
1 33 legal custodian of a student who is currently
1 34 providing competent private instruction to the student
1 35 pursuant to section 299A.2 or 299A.3 and who provided
1 36 such instruction to the student during the previous
1 37 year; who has a valid driver's license, other than a
1 38 motorized bicycle license or a temporary restricted
1 39 license, that permits unaccompanied driving; and who
1 40 has maintained a clear driving record for the previous
1 41 two years. For purposes of this paragraph, "clear
1 42 driving record" means the individual has not been
1 43 identified as a candidate for suspension of a driver's
1 44 license under the habitual offender provisions of this
1 45 chapter; is not subject to a driver's license
1 46 suspension, revocation, denial, cancellation,
1 47 disqualification, or bar; and has no record of a
1 48 conviction for a moving traffic violation determined
1 49 to be the cause of a motor vehicle accident.
1 50 3. COURSE OF INSTRUCTION. An approved course
2 1 administered by a teaching parent shall consist of but
2 2 not be limited to the following:
2 3 a. Thirty clock hours of classroom instruction.
2 4 b. Fifty hours of street or highway driving while
2 5 accompanied by the teaching parent, including six
2 6 hours of driving after sunset and before sunrise.
2 7 c. Twelve hours of classroom instruction
2 8 concerning substance abuse, including the effects of
2 9 alcohol consumption on a person's driving skills.
2 10 d. A minimum of twenty minutes of instruction
2 11 concerning railroad crossing safety.
2 12 e. Instruction relating to becoming an organ donor
2 13 under the uniform anatomical gift Act.
2 14 f. Instruction concerning driver distractions,
2 15 including the use of a cell phone while driving.
2 16 g. Behind-the-wheel instruction in defensive
2 17 driving techniques, driving in adverse weather
2 18 conditions, and driving on gravel roads.
2 19 The content of the course of instruction required
2 20 under this subsection shall be equivalent to that
2 21 required under section 321.178. However, reference
2 22 and study materials, physical classroom requirements,
2 23 and extra vehicle safety equipment required for
2 24 instruction under section 321.178 shall not be

2 25 required for the course of instruction provided under
2 26 this section.

2 27 4. COURSE COMPLETION AND CERTIFICATION. Upon
2 28 application by a student for an intermediate license,
2 29 the teaching parent shall provide evidence showing the
2 30 student's completion of an approved course and
2 31 substantial compliance with the requirements of
2 32 subsection 3 by affidavit signed by the teaching
2 33 parent on a form to be provided by the department.
2 34 The evidence shall include all of the following:

2 35 a. Documentation that the instructor is a teaching
2 36 parent as defined in subsection 2.

2 37 b. Documentation that the student is receiving
2 38 competent private instruction under section 299A.2 or
2 39 the name of the school district within which the
2 40 student is receiving instruction under section 299A.3.

2 41 c. The name of the approved course completed by
2 42 the student.

2 43 d. An affidavit attesting to satisfactory
2 44 completion of course work and street or highway
2 45 driving instruction.

2 46 e. Copies of written tests completed by the
2 47 student.

2 48 f. A statement of the number of classroom hours of
2 49 instruction.

2 50 g. A log of completed street or highway driving
3 1 instruction including the dates when the lessons were
3 2 conducted, the student's and the teaching parent's
3 3 name and initials noted next to each entry, notes on
3 4 driving activities including a list of driving
3 5 deficiencies and improvements, and the duration of the
3 6 driving time for each session.

3 7 5. INTERMEDIATE LICENSE. Any student who
3 8 successfully completes an approved course as provided
3 9 in this section, passes a driving test to be
3 10 administered by the department, and is otherwise
3 11 qualified under section 321.180B, subsection 2, shall
3 12 be eligible for an intermediate license pursuant to
3 13 section 321.180B. Thirty of the fifty hours of street
3 14 or highway driving instruction required under
3 15 subsection 3, paragraph "b", may be utilized to
3 16 satisfy the requirement of section 321.180B,
3 17 subsection 2, paragraph "a".

3 18 6. FULL LICENSE. A student must comply with
3 19 section 321.180B, subsection 4, to be eligible for a
3 20 full driver's license pursuant to section 321.180B.>

3 21 #2. Page 5, line 3, by inserting after the figure
3 22 <321.178> the following: <or 321.178A>.

3 23 #3. Page 6, by inserting after line 18 the
3 24 following:

3 25 <Sec. _____. Section 321.194, subsection 1,
3 26 unnumbered paragraph 1, Code Supplement 2005, is
3 27 amended to read as follows:

3 28 Upon certification of a special need by the school
3 29 board, superintendent of the applicant's school, or
3 30 principal, if authorized by the superintendent, the
3 31 department may issue a class C or M driver's license
3 32 to a person between the ages of fourteen and eighteen
3 33 years whose driving privileges have not been
3 34 suspended, revoked, or barred under this chapter or
3 35 chapter 321J during, and who has not been convicted of
3 36 a moving traffic violation or involved in a motor
3 37 vehicle accident for, the six-month period immediately
3 38 preceding the application for the special minor's
3 39 license and who has successfully completed an approved
3 40 driver education course other than a course taught
3 41 pursuant to section 321.178A. However, the completion

3 42 of a course is not required if the applicant
3 43 demonstrates to the satisfaction of the department
3 44 that completion of the course would impose a hardship
3 45 upon the applicant. The department shall adopt rules
3 46 defining the term "hardship" and establish procedures
3 47 for the demonstration and determination of when
3 48 completion of the course would impose a hardship upon
3 49 an applicant.>

3 50 #4. By renumbering as necessary.

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